

ASSEMBLY BILL

No. 1308

Introduced by Assembly Member Berg

February 22, 2005

An act to amend Section 1416.6 of the Health and Safety Code, relating to nursing homes.

LEGISLATIVE COUNSEL'S DIGEST

AB 1308, as introduced, Berg. Nursing home administrators.

Existing law, the Nursing Home Administrators' Act, makes it a misdemeanor for any person to act or serve in the capacity of a nursing home administrator, unless he or she is the holder of an active nursing home administrator's license issued in accordance with the act.

This bill would make a technical nonsubstantive change to that provision of the act.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1416.6 of the Health and Safety Code is
- 2 amended to read:
- 3 1416.6. (a) ~~It shall be~~ is a misdemeanor for any person to act
- 4 or serve in the capacity of a nursing home administrator, unless
- 5 he or she is the holder of an active nursing home administrator's
- 6 license issued in accordance with this chapter. Persons carrying
- 7 out functions and duties delegated by a licensed nursing home
- 8 administrator shall not be acting in violation of this chapter.

1 (b) (1) This chapter shall not apply to any person who serves
2 as an acting administrator as provided in this subdivision when a
3 licensed administrator is not available because of death, illness,
4 or any other reason.

5 (2) A person who is acting as an administrator shall notify the
6 program in writing within five days of acting in this capacity and
7 provide factual information and specific circumstances
8 necessitating the use of an acting administrator.

9 (3) No person shall act as an administrator for more than 10
10 days unless arrangements have been made for part-time
11 supervision of his or her activities by a nursing home
12 administrator who holds a license or provisional license under
13 this chapter. Supervision shall include at least 8 hours per week
14 of direct onsite supervision by the licensed administrator. The
15 program shall be notified in writing of the nature of this
16 arrangement. No person shall act as an administrator for more
17 than two months without the written approval of the program.
18 The program shall not approve a person to act as an administrator
19 for more than six months.

20 (4) If the acting administrator is an administrator in training,
21 then the supervision required by paragraph (3) may be counted
22 towards the total hours of supervised training required by
23 subdivision (f) of Section 1416.57.

24 (c) Notwithstanding subdivision (b), an individual acting as an
25 administrator for more than 10 days must have management
26 experience in a health facility.